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STATE OF NEVADA
DEPARTMENT OF HEALTH AND HUMAN SERVICES
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Dear Nevada Medicaid Prescribers and Pharmacies:

Effective October 1, 2008, Section 7002(b) of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery and Iraq Accountability Appropriations Act of 2007 requires that all written, non-electronic, prescriptions for fee for service Medicaid outpatient drugs must contain at least three tamper-resistant features, including at least one from each of the three following categories.

This requirement does not apply: when the prescription is communicated to the pharmacy electronically (EMR or ePrescribing via prescriber computer directly to pharmacy computer or prescriber computer directly to pharmacy fax); verbally (by telephone); or by fax.

Categories:

- 1) One or more industry-recognized features designed to prevent unauthorized copying of a completed or blank prescription form;

Features include but are not limited to:

- a) If the original blank is copied, the copy must clearly indicate that such a copy is an invalid prescription blank by displaying prominently "void" or "illegal" across the front of the prescription blank. If a prescription is scanned or photocopied, the word "void" shall appear across the front of the prescription blank. Due to the word "Void" on faxed prescriptions this feature requires the pharmacy to document if the prescription was faxed.
- b) "Rx" symbol or white area disappears when photocopied at light setting.
- c) Security Back print, printed on the back of the prescription form. The most popular wording for the security back is "Security Prescription" or the security back print can include the states name.
- d) A repetitive watermark shall be printed on the backside of the prescription blank, that shall only be seen at a forty-five (45) degree angle. The watermark shall bear the name of the company manufacturing the prescription blank or the word "security."

- 2) One or more industry-recognized features designed to prevent the erasure or modification of information written on the prescription by the prescriber;

Features include but are not limited to:

- a) A background that consists of a solid color or consistent pattern that has been printed onto the paper. If someone tries to erase or copy, the consistent

- background color will look altered and show the color of the underlying paper.
- b) Refill indicator, (circle or check number of refills or "NR"), indicate the number of refills on the prescription. The refill number must be used to be a valid prescription.
 - c) The prescription blank shall contain a feature that shows obvious tampering if the blank is exposed to erasure or attempted erasure, either through the use of abrasion or chemicals.
 - d) The prescription blank shall contain a word or symbol printed with ink that disappears if rubbed or scratched briskly.
 - e) If exposed to chemical solvents, oxidants, acids or alkalis to alter, the prescription paper will react and leave a mark visible to the pharmacist.
- 3) One or more industry-recognized features designed to prevent the use of counterfeit prescription forms.

Required feature:

- a) The complete list of security features and descriptions must be listed on the prescription paper to assist dispensing pharmacists in detecting forgeries.

Other features include but are not limited to:

- b) Encoding techniques (bar codes), a serial or batch number is encoded in a bar code on the prescription.
- c) A logo, sometimes used as part of the background color or pantograph.
- d) Metal stripe security or metal stripe on paper which is difficult to counterfeit.
- e) Heat sensing imprint, by touching the imprint or design, the imprint will disappear.

Failure of a State to enforce the new expanded tamper-resistant pad requirement may result in the loss of Federal financial participation.

Although, CMS is not providing lists of specific vendors that meet the tamper-resistant prescription pads, the following link is a list of vendors and may assist a provider in finding a vendor. http://www.nasmd.org/issues/docs/Tamper-Resistant_Pad_Vendors.doc

If you have any questions regarding this policy please submit your comments to: techhelp@dhcfp.nv.gov.

Sincerely,



Charles Duarte, Administrator
Division of Health Care Financing and Policy